

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF EMERY COUNTY COMMISSIONERS
HELD IN THE EMERY COUNTY COURTHOUSE

FEBRUARY 17, 2015

Present at the meeting was Commission Chairman Ethan Migliori, Commissioner Paul Cowley, Commissioner Keith Brady, Attorney Michael Olsen, Deputy/Clerk Auditor Carol Cox, elected officials and citizens.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST , REQUISITIONS AND DISPOSITIONS.

The Warrant Check Edit List #234709 through and including #234834 were presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
10-15	Caterpillar 140M3 Motor Grader W/trade-in- Highway	\$248,463.00
11-15	(2) 10,000 gallon tanks Highway	19,447.90
12-15	(2) XPS12 Laptop Computers (7) 7020 OptiPlex Computers Capital Replacements	8,491.00

Dispositions were presented for the following:

Kenwood Radios purchased 2004-2007 that are no longer narrowband compatible with software 255-9178,9179,9180,9181,9182,9183,9184,9185,9186,9187,9188,9189,9190,9191,9192,9193, 9194,9195,9196,9197,9198,9199,9200,9168,9169,5104,5204,5304,5404,5504,5604,5704,5804, 5904,6004,6104,6204,6304,6404,6504,6505,6604,7004,7104,7204,7304,7404,7504,7604,7704, 7804,7904,8004,8104,8204,8304,8404,8504,8604,8704,8804,8904,9004,9104,9204,9304,9404, 9504,9604,9704,9804,9904,8406,1277,9170,9171,1104,1204,1304,0044,0104,0204,0304,0404, 0504,0604,0704,0804,0904,1004,1104,1204,2304,2404,2504,2604,2704,2804,2904,3004,3104, 3204,3304,3504,3604,3704,3804,3904,4004,4104,4204,4304,4404,4504,4604,4704,4804,4904, 5004,1014,1024,1034,1044,1054,1064

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210-8126,8127,8128,8187,7619
234-7624,7619

Highway Department: Broken grinders, 415-1821,1823
Broken chair from courthouse:160-3139
Transfer 2 filing cabinets from Extension to Weed/Mosquito

(2)

APPROVAL OF OUT OF STATE TRAVEL FOR GREG FUNK FOR TRAINING IN LAS VEGAS, NV.

(3)

APPROVAL OF EMERY TOWN'S APPOINTMENT OF MISTI CHRISTIANSEN TO THE EMERY COUNTY RECREATION SPECIAL SERVICE DISTRICT.

(4)

APPROVAL OF ELMO TOWN'S APPOINTMENT OF SETH ALLRED TO THE EMERY COUNTY RECREATION SPECIAL SERVICE DISTRICT.

(5)

APPROVAL TO PROMOTE KEATON COWLEY AND AJ O'NEIL FROM PATROL DEPUTY I TO PATROL DEPUTY II FOR 3 CONSECUTIVE YEARS ON THE ROAD. MOVE FROM GRADE 16 TO GRADE 17.

(6)

APPROVAL OF HUGH PETERSON AND VARIAN ALLEN AS VOLUNTEERS IN THE EMERY LIBRARY.

(7)

APPROVAL OF COMMISSION MEETING MINUTES DATED FEBRUARY 3, 2015

Commissioner Paul Cowley made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Keith Brady. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM CONSENT AGENDA

Nothing was pulled for discussion.

Commissioner Paul Cowley made a motion to leave the regular meeting and move into a public hearing to receive public input regarding mental health and substance use disorder treatment needs in Emery County. The motion was seconded by Commissioner Keith Brady. The motion passed.

(2)

PUBLIC HEARING- TO RECEIVE PUBLIC INPUT REGARDING MENTAL HEALTH AND
SUBSTANCE USE DISORDER TREATMENT NEEDS IN EMERY COUNTY.

Karen Dolan and Jennifer Thomas, Four Corners Behavioral Health addressed the Commissioners and public regarding mental health and substance use disorder treatment needs in Emery County. Ms. Dolan explained that state law and Medicaid statutes require that a public hearing be held to receive public input regarding these needs in the county. She indicated that Four Corners Community Behavioral Health serves Carbon, Emery, and Grand Counties. They have many programs available to the counties. They have early intervention programs in the schools, provide psychiatric hospitalization, manage state hospital beds allotted to them, and provide a prison diversion program, as well as many other programs. They are safety net providers so they receive funds through County, State, and Federal (Medicaid) Funds. Two of the executive team are residents of Emery County. Ms. Dolan asked the Commissioners and the public if they have any questions.

Attorney Michael Olsen reported that his office had received notice that the domestic violence treatment and anger management assistance programs will no longer be provided by the providing agency as of the end of February. Will Four Corners be picking up those programs for the counties?

Ms. Dolan was aware of the notice but was unsure of the time for that provider to discontinue the program. Four Corners does provide anger management but will not compete with the private sector while they were around. Now that they are leaving, she indicated that she was confident that Four Corners would be providing that service to the counties.

Commissioner Brady asked if there were any bills currently in legislation that are of particular concern to Four Corners?

Ms. Dolan reported on the few bills that affect mental health issues.

There were no additional questions.

Commissioner Keith Brady made a motion to leave the public hearing and return to the regular meeting. The motion was seconded by Commissioner Paul Cowley. The motion passed.

Commissioner Keith Brady made a motion to leave the regular meeting and move into a public hearing to receive public input regarding the issuance of Castle Valley Special Service District General Obligation Bonds. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(3)

PUBLIC HEARING- TO RECEIVE PUBLIC INPUT REGARDING THE ISSUANCE OF CASTLE VALLEY SPECIAL SERVICE DISTRICT GENERAL OBLIGATION BONDS IN TWO SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,055,000.

Jacob Sharp, Castle Valley Special Service District Manager addressed the Commissioners and public. He introduced Alex Buxton, Zions Public Finance. Mr. Sharp explained that the bonds are in two series and are part of the 2009 voter approved, up to 12.5 million dollar, general obligation bond issuance. He explained the CVSSD has 10 years in which to utilize the approved bond after which they will have to again go to the voters for approval for bonding funds. Typically CVSSD will issue a portion of that bond each year to do capital project throughout the county. These projects could be street improvement, drainage improvements, curb and gutter, and lately have been focused on infrastructure replacement like sewer and culinary water line replacement. 2015A is a \$705,000.00 bond from CIB at 1.5% interest and along with that they will receive \$500,000.00 grant money for a total of \$1,250,000.00. As long as the mayors in the communities continue to have projects that need to be done CVSSD will continue to do projects this way. 2015B is for a new water treatment project. This more of a once every 30 years or more project. CVSSD owns four water treatment plants. They operate three of the plants with a stand-by plant in Huntington Canyon. Huntington, Cleveland and Elmo is operated off of springs. The Huntington Canyon plant is there should the springs be depleted. They have a plant up Straight Canyon that supplies water to Castle Dale and Orangeville. They have a plant in Emery that supplies water to the town of Emery. The plant in Ferron supplies water to Ferron and Clawson. Jacob indicated that the plant in Ferron is the plant that they are proposing to replace. The plant was originally built in the late 60's but a new plant was built onto the side of it in the 70's and came on line in the early 80's when the power plants came into the county. The filters are worn out and the in process to repair equipment they can't get replacement parts anymore. It still makes good water, however, they have been limping it along so it needs to be replaced. They have settled on certain technology and came up with a cost estimate for the project. They took the project to the CIB and were approved for \$1.35 million bond at 1.5% and a matching grant for \$1.35 million. This is a much needed and necessary project. The Capital Improvement bond 2015A is a six year repayment plan with the CIB. The 2015B is scheduled for a 15 year repayment plan but CVSSD is looking at possibly trim that down to 10 years. The resolution that is proposed today provides CVSSD with a little flexibility to take the repayment plan down if they can while still keeping their debt service tax level. Alex Buxton added some history of CIB and the funds that are supplied to counties for these types of

projects. He stated that Jacob does an excellent job of accessing these funds. Grants that don't have to be repaid are tricky to come by. Fortunately Jacob has a great track record with this board and has been successful in getting excellent interest rates below the market rate. The closing on the Capital Improvement project 2015A would be end of March for the \$750,000.00. The 2015 B water treatment project in the amount of \$1.35 million will be issued later this year when the project has been bid out. Jacob provided some details for the new Ferron water treatment plant.

Commissioner Keith Brady made a motion to leave the public hearing and return to the regular meeting. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(4)

CONSIDERATION AND APPROVAL OF RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF EMERY COUNTY, UTAH ACTING AS THE GOVERNING BODY OF THE CASTLE VALLEY SPECIAL SERVICE DISTRICT AUTHORIZING THE MAXIMUM AMOUNT OF \$2,055,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, PURSUANT TO A MASTER RESOLUTION FOR EACH SERIES TO BE APPROVED BY THE CHAIR OF ADMINISTRATIVE CONTROL BOARD AND THE DISTRICT MANAGER AS THE PRICING COMMITTEE, TO CONSTRUCT IMPROVEMENTS, INCLUDING NEW WATER TREATMENT FACILITIES; AND RELATED MATTER.

Commissioner Keith Brady made a motion to approve Resolution 2-17-15 authorizing the issuance of maximum amount of \$2,055,000.00 General Obligation Bonds, in one or more series to be approved by the chair of the administrative control board and the district manager as the pricing committee, to construct improvements, including new water treatment facilities. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(5)

CHRIS WOOD, DWR, PRESENTATION OF PILT PAYMENT FOR LAND OWNED AND MANAGED BY UTAH DIVISION OF WILDLIFE RESOURCES

Chris Wood, DWR presented to the Commissioners, a check in the amount of \$2,610.71 representing PILT payment for land owned and managed by Utah Division of Wildlife Resources. He provided a brief update of activity of the Utah Division of Wildlife Resources on managed land in the Emery County area.

(6)

MAYOR PAT BRADY AND CITIZENS OF GREEN RIVER CITY, DISCUSSION OF
DESIRE AND OPTIONS TO REOPEN DMV OFFICE IN GREEN RIVER.

Mayor Pat Brady along with a few citizens from Green River City. He presented a petition signed by citizens of Green River City urging the Emery County Commissioners to keep a County Assessor in their community, we are after all citizens of Emery County and you the County Commissioners have already taken away their justice of the peace, Green River City needs an Assessor. Without one our citizens will have to drive to Castle Dale to conduct their business which is a real hardship for our older people. Please replace Cheryl Keener and give us an Assessor. With that, he added, yes we have Castle Dale, Price, Moab, yes, we can go online but the older citizens don't know how to operate a computer or have access to a computer and it is hard for them to travel out of town. Construction owners with special equipment now have to go out of town to conduct that business. If this was a full time job up until Cheryl was not able to work anymore then why is this no longer a full time job? What has happened to prevent it from being full time? Sheriff Funk indicated that he can justify a full time deputy in Green River City. If something bad is going to happen in Emery County it is going to be in Green River. He indicated that he is going to make a push to have a full time deputy in Green River. Commissioner Migliori indicated that they looked at reducing the DMV staff in Green River a couple of years ago because on paper the work load just didn't justify a full time person. They made a decision to put it off until Cheryl retired and then make adjustments at that time. There are additional funds that come to the county through citations that offset the deputy position. In the long run it makes more sense to direct funds to a full time deputy. They have been looking at putting a part time person in DMV in Green River. In discussions with Kris Bell, Emery County Assessor they discussed sending a person from the Castle Dale office to Green River one day a week to provide that service. Commissioner Migliori indicated that the DMV office in Green River did 5 transactions a day. No matter how you look at it that doesn't justify a full time position. The State of Utah reimburses the County \$3,000.00 which doesn't even come close to covering the expenses associated that position. He indicated that we have options. We need time to work the pieces out and evaluate the needs. Putting a full time deputy in Green River City will fill a need in Green River and will begin the process of filling in those pieces.

Kathy Ryan Council person for Green River City and citizen. If crime is on the decline in Green River and UHP is present then why do we need to put another deputy there as opposed to putting an assessor there that can help our citizens? We are a town of elderly people. We are a growing town. Our citizens need the convenience of having an assessor.

Commissioner Migliori explained recounted some problems that the Justice Court has experienced with UHP and citations that were issued on the Emery County side vs the State thus eliminating the need for a Justice Court clerk.

Mike Keener, Green River indicated that there was much more of a service to the citizens of Green River that were supplied by Cheryl Keener while she occupied that position. The relationship she built with the citizens of Green River was second to none. People in Green

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River come up to him and ask him how do we get that position back? A part time person is not going to have the interest or enthusiasm for that job.

Commissioner Migliori indicated that we need time to work out the needs with the departments involved.

Commissioner Brady indicated that in his discussions with citizens of Green River they do not like the idea of someone from Castle Dale going to Green River to do a job that someone from Green River can do. He indicated that he was not in favor of a full time person that we may have to pull back to part time later.

Mayor Brady indicated he appreciated the security that a new deputy would bring but that does not fill that lost position.

(7)

BID OPENING- BID OPENING FOR EMERY COUNTY SHERIFF'S CASE NUMBER 2013-001691 FORFEITED NON-EXEMPT PROPERTY (1996 FORD F250 COF PICKUP TRUCK). CONSIDERATION AND APPROVAL OF BID AWARD AND ASSOCIATED PAPERWORK.

One bid was received for Emery County Sheriff's Case #2013-001691 forfeited non-exempt property a 1996 Ford F250 COF pickup truck. The bid was from Randal Stilson in the amount of \$321.03. The bid was advertised to cover the tow bill of \$320.00. Commissioner Paul Cowley made a motion to accept the bid of \$321.03 from Randal Stilson for case#2013-001691. The motion was seconded by Commissioner Keith Brady. The motion passed.

(8)

CONSIDERATION AND APPROVAL OF PAYING A PORTION OF LATE FEE ASSOCIATED WITH INDUSTRIAL PARK ON SITLA LAND NEAR GREEN RIVER.

Commissioner Migliori explained the issue associated with the Industrial Park on SITLA land near Green River. We have a number of parcels on the Industrial Park. Blue Castle Holdings is one of the larger holders in the park. They are leasing the property for \$10,000.00 a year for the proposed power plant. The plan is to purchase the property from SITLA sometime this year. In the transition from Mr. McCandless leaving Economic Development and the new Commissioners coming into office there was some confusion on the original paying of that lease. By the time the lease payment request reached Blue Castle there was a late fee associated with the lease payment. They asked the SITLA board to waive the \$600.00 late fee. That request was denied. In conversations with Blue Castle Holdings, they asked if the County would split the late fee with them. Commissioner Migliori indicated that there is funds available in Economic Development that could be used to pay the \$300.00 which would be our portion if approved. Commissioner Keith Brady made a motion to approve paying half of the late fee (\$300.00) associated with Blue Castle Holdings with the Industrial Park on SITLA land near Green River.

The motion was seconded by Commissioner Paul Cowley. The motion passed.

(9)

DISCUSSION AND POSSIBLE APPROVAL OF REQUEST FOR AMBULANCE BILL
WRITE-OFF FOR LOREN L. PIERCE.

Commissioner Migliori explained that these types of requests come to the Commissioner quite regularly. These ambulance payments are to pay back the county ambulance for the EMT time, supplies, use of the ambulance, etc. Patients have the responsibility to pay the balance after insurance has paid their portion. In this case Mr. Pierce lives out of the state. He has made payments in the amount of \$50.00 toward the \$ 1,379.00 balance after insurance. Commissioner Keith Brady made a motion to deny a write-off ambulance bill request from Loren L. Pierce and encourage them to continue to make payments on the account. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(10)

DISCUSSION AND POSSIBLE APPROVAL OF REQUEST FOR AMBULANCE BILL
REDUCTION BY SABINA LOPEZ.

Commissioner Migliori reported that Ms. Lopez submitted the request for write-off form. She has not made any payments toward the \$7,518.13 balance. Commissioner Paul Cowley made a motion to deny a write-off request for Sabina Lopez and encourage her to make payments on the account. The motion was seconded by Commissioner Keith Brady. The motion passed.

(11)

DISCUSSION AND POSSIBLE OF APPROVAL FOR AMBULANCE WRITE-OFF BY
MARVIN BOWDEN.

Commissioner Migliori reported that Mr. Bowden is from Ferron. This account was just recently sent to collections. They filled out the paperwork requesting a write-off. Apparently they had ambulance bills in both Carbon and Emery County and they filled out the Emery County paperwork that was submitted to Carbon County and never submitted to Emery County. Carbon County wrote off their bill. The remaining balance due to Emery County is \$149.00. Commissioner Keith Brady made a motion to pull the account from collections but not to write it off but encourage them to make payments on the balance. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(12)

DISCUSSION AND APPROVAL OF 2015 SEUEPA MEMBERSHIP DUES.

Commissioner Migliori explained that this is membership dues to Southeastern Utah Energy

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Producers Association. The membership dues of \$500.00 was missed in the budgeting process. He felt it was important to the county to remain members of this association. Commissioner Keith Brady made a motion to approve a donation of \$500.00 to SEUPA for membership dues. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(13)

APPROVAL OF APPOINTMENT OF LAURIE PITCHFORTH AND RE-APPOINTMENT OF ZORA PEACOCK TO THE EMERY COUNTY COUNCIL ON AGING AND NUTRITION.

Commissioner Paul Cowley made a motion to approve appointment of Laurie Pitchforth and Re-appointment of Zora Peacock to the Emery County Council on Aging and Nutrition. The motion was seconded by Commissioner Keith Brady. The motion passed.

(14)

APPROVAL OF APPOINTMENT OF KEITH BRADY, TRAVIS BACON, PENNY RICHES, AND LAMAR GUYMON TO THE EMERY COUNTY TRAVEL BUREAU.

Commissioner Keith Brady made a motion to approve of appointment of Keith Brady, Travis Bacon, Penny Riches, and LaMar Guymon to the Emery County Travel Bureau. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(15)

APPROVAL TO ADVERTISE FOR BOARD VACANCY ON THE MUSEUM OF THE SAN RAFAEL BOARD OF DIRECTORS.

Commissioner Paul Cowley made a motion to advertise for board vacancy on the museum of the San Rafael Board of Directors. The motion was seconded by Commissioner Keith Brady. The motion passed. This is to fulfill the remaining term of the board position held by Jan Petersen.

(16)

APPROVAL TO ADVERTISE FOR BOARD VACANCIES ON EMERY WATER CONSERVANCY DISTRICT.

Commissioner Paul Cowley made a motion to advertise for board vacancies on Emery Water Conservancy District. The motion was seconded by Commissioner Keith Brady. The motion passed.

(17)

CONSIDERATION AND APPROVAL OF KUED GRANT APPLICATION FOR ORANGEVILLE LIBRARY.

Roxanne Jensen, Castle Dale Librarian explained that KUED offered a Reading Marathon Mini Grant. This grant is offered to libraries, schools and non-profit organizations located 100 miles or more from Salt Lake City to be used to host their own Super Reader Party. Librarian Director Carole Larsen applied and was granted \$300.00 to host a Dr. Seuss Battle of the Books at the Orangeville Library. The funds will be used for promotional advertising, decorations, awards/prizes, party participation incentives, and cake and ice cream. She asked for approval of the application process. Commissioner Keith Brady made a motion to approve of a KUED grant process for the Orangeville Library. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(18)

DISCUSSION AND APPROVAL OF OUT-OF-STATE TRAVEL FOR PAUL COWLEY AND RAY PETERSEN TO WASHINGTON, DC FOR PUBLIC LAND ISSUES. CLARIFICATION ON TRAVEL RESERVATIONS AND RENTAL CAR POLICY.

Commissioner Keith Brady made a motion to approve out-of-state travel for Paul Cowley and Ray Petersen to Washington, DC for Public Lands issues. The motion was seconded by Commissioner Paul Cowley. The motion passed. Commissioner asked to table the discussion on clarification on travel reservations and rental car policy to allow time to visit with Michael Olsen on this issue.

(19)

CONSIDERATION AND APPROVAL TO ADVERTISE FOR LAWN CARE AT THE LIBRARIES AND ROAD DEPARTMENT.

Commissioner Paul Cowley made a motion to grant approval to advertise for lawn care at the Libraries and Road Department. The motion was seconded by Commissioner Keith Brady. The motion passed.

(20)

CONSIDERATION AND APPROVAL TO ADVERTISE FOR WATER HEATER REPLACEMENT IN GREEN RIVER COUNTY OWNED BUILDING.

Commissioner Migliori indicated that because of liability issues it was decided that a contractor is needed to install a water heater in the county owned building in Green River. Commissioner Keith Brady made a motion to advertise for water heater replacement in Green River county owned building. The motion was seconded by Commissioner Keith Brady. The motion passed.

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Commissioner Keith Brady made a motion to leave the regular meeting and enter into a closed meeting and at the conclusion of that meeting to return to the regular meeting. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(21)

CLOSED MEETING TO DISCUSS THE SALE OF REAL PROPERTY.

Those present at a closed meeting was Commissioner Ethan Migliori, Commissioner Paul Cowley, Commissioner Keith Brady, Attorney Michael Olsen, Clerk/Auditor Brenda Tuttle.

(22)

CONSIDERATION AND APPROVAL OF CONTRACT WITH MARCUS & MILLICHAP FOR REAL ESTATE INVESTMENT AND ADVISORY SERVICES.

Commissioner Keith Brady made a motion to table this item. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(23)

COMMISSION/ELECTED OFFICIALS REPORTS

No reports

(24)

ADJOURNMENT

The meeting was adjourned.

ATTEST:_____ COMMISSIONER:_____